

Village Council
May 24, 2010
6:30 PM
Minutes
Public Hearing

Call to Order: Mrs. Rush-Ekelberry called the meeting to order.

Roll Call: John Bender, Rick Deeds, Steve Donahue, Bobbie Mershon, Marilyn Rush-Ekelberry, and Leah Turner.

Mrs. Mershon moved to excuse Mr. Wynkoop; seconded by Mr. Deeds.

VOTE: **AYES** Dr. Bender, Mrs. Mershon, Mr. Donahue, Mrs. Turner
Mrs. Rush-Ekelberry, Mr. Deeds

NAYS

Motion carried.

Purpose of the Public Hearing: To hear public comments on a proposed zoning code amendment ZA-10-02 to rezone 1.9 Acres from General Commercial (GC) to Planned Residential District (PRD), owned by Waterloo Crossing Limited, located on the Southwest side of West Waterloo Street for 50 apartments for the Francis Park Senior Housing Project.

The Planning and Zoning Commission at their April 12, 2010 hearing recommended the application be denied.

Presentation to Council:

Staff Report: Mr. Strayer presented a power point presentation with information and maps of the application. The applicant, Fairfield Homes, requested rezoning of the property from GC to PRD to accommodate a 50-unit senior housing project. Various changes to the preliminary development site plan were explained along with maps and drawings. The underlying zoning does allow for a 40' height (maximum 3 stories). Originally, the density was 26.3 units per acre. The new density is 23.6 units per acre.

Joe Abbott, of Planning & Zoning Commission, stated that the changes that have been made would not have affected the decision of P&Z. They were concerned with the materials being used. There is a minimal amount of brick in the drawings they received. The only elevation that they had was the front. The elevations of the rear and sides had no illustrations. There are no scaled drawings to verify the height. Mr. Abbott asked about a Resident Manager being on site; Mr. Strayer stated that there would be a Manager on site from 8-5pm.

Applicant Presentation:

Chris Collins, Director of Development for Fairfield Homes, introduced Randall Woodings (the architect), Leonard Gorsuch (President of Gorsuch Enterprises) and Sharon Austin (Syndicated Tax Credit).

Randall Woodings stated that they were told by Planning and Zoning that they would like the building to take on the appearance of row houses or town homes. That was the only direction they were given. They are willing to put 80% brick on the building on all sides. They have committed to using the same color bricks and possibly stone. The height at the ridge line would be 38-39 feet. The tower would eclipse over the 40 feet but can be reduced. They can prepare a rendition for the next Council meeting. It will be a 5/12 pitch roof with accent pieces and gables. The roof elevation can be staggered in the back of the building. Stone and brick could be used to make it look more like row houses.

As far as fire safety of the building, it will be completely covered with sprinklers. There will be smoke detectors in every bedroom and in the halls. There will be fire alarm pull stations and fire code separations. There are 1 hour fire separation walls between each unit and 2 hour walls where code designates.

Village Resident Comments:

(Five Minute Limit per Person)

Bob Davis, of Charleston Lakes, stated that he would like a different location to be selected. He believes many other locations would be more suitable to senior citizens. The city code established a one bedroom unit to have at least 800 sq. feet, but this developer has 600+ sq. feet. Code dictates two bedrooms units have 1000+ sq. feet, but these have 800 sq. feet. The city density guidelines are higher than what is proposed. It was rejected by P&Z in a 7-0 vote. It wasn't a close vote. Council appointed the Planning and Zoning Commission and should have faith in their decision. Charleston Lake is over 50% retired and this would further reduce their property values. He asked if Council is going to approve a development against the wishes of residents of Charleston Lakes and Cherry Landing.

Don Corbett, of 6678 Lakeview Circle, stated that he lives in adjoining properties. He is a retired police officer and is currently a board certified investigator for Homeland Security. Rental Properties can elicit disruptive behaviors. He passed out information from National Landlord Training Program, Solving Chronic Nuisance Problems program and a guide to Keeping Illegal Activity out of Rental Properties. He presented several studies that have been done about public housing developments. Studies show that crime increases in the areas near apartments. He said they were told initially that this project had nothing to do with government funding, but later learned that they were compelled to take Section 8 vouchers from CMHA. He noted that when he went to look at the other dwellings and apartments, he was able to enter their security system without any identification. This is about looking 10-15 years down the road and the problems that will come from rental properties.

Randy Tucker, HOA President of Charleston Lakes, stated that the developer claims that all these changes can be made, but they aren't on paper. The separation doesn't change the density inside the unit. It is still a 50 unit, 3 story project inside the community. He reiterated that it is a subsidized project. There are 7 curb cuts within 200 yards on that area of Waterloo Street. Residents have never seen a final plan to even be able to tell what improvements would need to be made. They have received conflicting information. They were told that the restrictions on the project go away after

15 to 30 years. They were told that the location was chosen during an informal discussion in Council. Residents were not asked for their opinion.

Mary Lynn Bardo, of Charleston Lakes, moved into Canal Winchester in 1977 and into Charleston Lakes in 2004 and they love it here. The condos were not cheap and the property values have gone down. They are invested in this community. This project is high density and 3 stories. No other residents will have to live next to that. The people in the project will be looking out their windows right into Charleston Lakes resident's back yard. There are other sites available. This is just too much in too little space.

Robin Peters, of HOA of Charleston Lakes, stated that they have yet to know what the ground floor elevation is. It looks like they picked the elevation off of the circle drive in the condos. It would be on a slab and would have ground water problems. They don't know the grading plan and he doesn't believe that they will stick to the plan if it's not presented in the beginning of project. He thinks that waiting until "later" to reveal the details will have repercussions. None of the adjoining property owners have a positive response about this being a good location for the senior housing. He stated that a lot of the things we have heard tonight are intended to keep the Mayor and Council out of trouble in the future. The project is government funded and developers will come in and build it, get it rented, walk away and leave us with the problems.

John Petrie, of Cherry Landing, stated that Cherry Landing is in the effects of a recession and many of the property values are lower than what is owed. He has one of the smallest lots he has ever lived on, but has 20 acres of common area and he enjoys that. He is appealing to Council on the basis of self-interest of the Village. The amount of devaluation of property values will determine the Village tax revenues. We want them to be stable. Property values are determined by location and they don't want that compromised. He would rather they keep it zoned commercial. There is not a place for senior housing anywhere within the Village.

Paul Owlette, of 6691 Lakeview Circle, stated that the square footage is not appropriate for the area and does not want subsidized housing in the Community.

Bob Woods, 52 year resident of Canal Winchester and part owner of the land in question, stated that the land (67 acres) was zoned to GC in 2000. He is surprised at the opposition of the project. They looked for something that would fit on that area that was not commercial, because he thought it would be appropriate for the area. He re-addressed the curb cuts, height of the building, materials to be used, elevations and setbacks.

Chuck Bardo, of 6844 Lakeview Circle, stated that you just have to drive up to Scarborough and take a look at the housing and urban life to see what you will have here in 10 years if we put this type of housing here. Subsidized housing affects the neighboring community negatively.

Robert Miller, of 6696 Lakeview Circle, thanked Council for their work for the Village. He was told they would have the building plans to look at 30 days ago and they still haven't presented that information. He reiterated the problems surrounding the position of resident manager for the project and the acceptance of vouchers. He stated that we don't need the facility.

Barb McKinley, 6313 Lakeview Circle, is not opposed to senior housing, but is opposed to this type of senior housing. They were told that this location would give seniors access to restaurants, medical facilities, etc. There is a lot behind Kroger that is already zoned for high-density residential and has the same access to amenities.

Leonard Gorsuch, President of Fairfield Homes, said this is the second time they have tried to put this facility into Canal Winchester. They have been depicted as unscrupulous but their company has been developing housing for over 60 years and they are actively engaged in every community in which they build. They will commit to the senior housing and to the community. They try to make it a lifestyle change for the seniors with movie nights and other activities. They will provide for people of every walk of life who no longer want the responsibility of home ownership. This community may or may not have the opportunity to receive tax credits. They are awarded by community locale and need. It is like a community block grant to allow seniors from any walk of life to rent a nice apartment. Maybe they should have talked to the condo association first. They want the neighbors input. They are in the goodwill business. Pershing House is a wonderful facility in Lancaster and he invites people to come and tour. They stand behind everything they do and would stand behind Canal Winchester. They felt this would be the least intrusive of any type of development that could go on that area.

Some projects have resident managers that live on site; some have managers that do not live on site. This type of facility is independent care. Residents must have the ability to live on their own.

Ron Burson, head of the Gorsuch Management Company, wanted to clarify the issue of the vouchers. Every applicant is put through an extensive application process including a criminal and credit screening. Someone may come in with a tenant voucher (not a project voucher) but they would have to pass a screening for each person in the household. They would not be automatically allowed to rent. There will be a manager on site during business hours and will be available after hours by cell phone. There will be a pull cord system that residents can pull in case of emergency that will be monitored 24/7. It will be tied into emergency medical services.

Sharon Austin, of Ohio Capital Corporations, will be providing the tax credits for this project. Some of the concerns raised here are surprising. Tax credits are a 30 year affordability commitment. Ohio Capital Corporations involvement is maintained for the entire 30 years. Every applicant is reviewed to make sure they are income eligible for the credit. Tax credits come from the Internal Revenue Service; it is not HUD. The Ohio Housing Finance Agency determines how tax credits are given out. Her agency will stay involved in this property for the entire 30 years. There are funds in reserve for repairs during that time. After 30 years, the tax credit requirements have been met. The properties can apply for further funds at that time and if successful, they would have requirements for another 30 years.

Deidre Miller, of 6696 Lakeview Circle, went to the Pershing House in Lancaster at 11:10am and there was no property manager on site. She begged Council not to allow this.

Council Comments/Questions:

Dr. Bender asked about the senior living area on Groveport Road (David's Way) and how it compares to the proposed development. Mr. Strayer said it is similar in size, David's Way is a little bigger, but David's Way is funded by HUD. There has been no increase in crime in the area that Mayor Ebert is aware of. Ms. Osborn clarified that there are 92 units in David's Way and 50 proposed in the new project.

Mr. Turner has issues with why this particular location was chosen if there are other properties that are suitable.

Mr. Donahue asked about what revenue the Village would lose if the zoning was changed from Commercial to PRD.

Mr. Deeds thanked everyone for their input. He asked Mr. Strayer about the locations that were discussed. He stated that tax-wise, the Village sees very little of the money.

Mrs. Rush-Ekelberry and Mr. Hollins explained the procedure that will take place from this point on. Mr. Hollins asked if Casto would be involved or if this would be a straight land sale. He was told that it would be a straight land sell.

Mr. Deeds noted that there will be open items to be addressed and they need to have some resolutions on some of the issues, such as the property manager, the materials to be used, etc. Discussion ensued.

Adjournment

Mr. Donahue moved to adjourn the meeting; seconded by Mrs. Turner.

VOTE: **AYES** Dr. Bender, Mrs. Mershon, Mr. Donahue, Mrs. Turner
Mrs. Rush-Ekelberry, Mr. Deeds

NAYS

Motion carried. Time out 8:17pm